

**TEMPORARY**

**No. 68738-T**

**TEMPORARY**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 23 2002

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAR 25 2002 under 68537

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The applicant **Frank Erb** hereby make application for permission to change the **Place of Use** of water heretofore appropriated under **Truckee Carson Irrigation District Serial No. 647-2-H and 607, United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada.**

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1. The source of water is **Truckee and Carson River**
2. The amount of water to be changed **4.62 ac ft**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Lahontan Dam within SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 33, T.19N., R.26E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, T19N., R.29E., M.D.B.&M. A total of 1.32 ac.**
8. Existing place of use **SE $\frac{1}{4}$  NE $\frac{1}{4}$  (1.00 ac) of Section 35, T.19N., R.28E. and SE $\frac{1}{4}$  NE $\frac{1}{4}$  (.32 ac) of Section 17, T.19N., R.49E., M.D.B.&M. A total of 1.32 ac.**
9. Use will be from **as decreed**
10. Use was permitted from **as decreed**
11. Description of proposed works **dams, canals & ditches**
12. Estimated cost of works **completed**
13. Estimated time required to construct works **complete**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks: **EXISTING AND PROPOSED PLACES OF USE THE SAME AS MAP TO ACCOMPANY APPLICATION 68537. THIS APPLICATION TO ALLOW IRRIGATION WHILE PERMANENT APPLICATION IS PROCESSED. SEE SAID 68537 FOR OWNERSHIP VERIFICATION.**

By **Barry A. Fitzpatrick S.W.R.S. #817**  
**s/Barry A. Fitzpatrick Agent**  
**137 Keddie Street**  
**Fallon, Nevada 89706**

Compared my/cm f dr/cm f

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2002** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **4.62 acre-feet as decreed.**

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this **24th** day of **June**, A.D. **2002**

  
State Engineer

**EXPIRED**  
**DATE NOV 15 2002** **BAC**